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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

Arizona Corporation Commission

MARC SPITZER -- Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

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JUN - 3 2004

AZ CORP COMMISSION  
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IN THE MATTER OF THE APPLICATION OF  
BEARDSLEY WATER COMPANY FOR A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE WATER SERVICE IN  
MARICOPA COUNTY, ARIZONA

DOCKET NO. W-02074A-03-~~608~~

0608

IN THE MATTER OF THE APPLICATION OF  
BEARDSLEY WATER COMPANY FOR A  
CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE WATER SERVICE IN  
MARICOPA COUNTY, ARIZONA

DOCKET NO. W-02074A-04-0241

**STAFF RESPONSE TO BEARDSLEY  
WATER COMPANY MOTION TO  
CONSOLIDATE**

On August 26, 2003, Beardsley Water Company (the "Company") filed an Application with the Arizona Corporation Commission (the "Commission") seeking a Certificate of Convenience and Necessity ("CC&N") to serve an area in Maricopa County known as Coyote Trails.

On March 29, 2004 the Company filed an application with the Commission for a CC&N to serve an area known as Patton Place Estates, Unit 6.

On May 28, 2004, the Company filed a Motion to Consolidate the two applications. In that motion the Company stated that neither of the two applications had been found sufficient. That statement was incorrect as the application that is the subject of Docket No. W-02074A-04-0241 was found sufficient on April 29, 2004. A letter of sufficiency was sent by the Arizona Corporation Commission Utilities Division ("Staff") to the Company on April 29, 2004. A Procedural Order issued on April 30 2003 setting the matter for hearing on June 22, 2004.

On June 2, 2004, Staff counsel spoke with Mr. Richard Sallquist, counsel for the Company, informing him of the status of the application in Docket No. W-02074A-04-0241. Counsel indicated that based on this information the Company would file a withdrawal of its Motion to Consolidate

1 filed May 28, 2004.

2 Because the application that is the subject of Docket No. W-02074A-04-0241 has been set for  
3 hearing, while the application that is the subject of Docket No. W-02074A-03-0608 is not yet  
4 sufficient and because the Company has indicated a desire to withdraw its Motion to Consolidate,  
5 Staff opposes the Motion to Consolidate. Staff respectfully requests that the Company's Motion to  
6 Consolidate be denied.

7 RESPECTFULLY SUBMITTED this 3rd day of June, 2004.

8 ARIZONA CORPORATION COMMISSION

9  
10 By: 

11 Gary H. Horton  
12 Attorney, Legal Division  
13 1200 West Washington Street  
14 Phoenix, Arizona 85007  
15 (602) 542-6026

16 Original and 13 copies of the foregoing filed  
17 this 3<sup>rd</sup> day of June, 2004, with:

18 Docket Control  
19 Arizona Corporation Commission  
20 1200 West Washington  
21 Phoenix, Arizona 85007

22 Copy of the foregoing mailed this 3<sup>rd</sup> day  
23 of June, 2004, to:

24 Richard L. Sallquist  
25 Sallquist & Drummond, P.C.  
26 2525 E. Arizona Biltmore Circle, Suite 117  
27 Phoenix, AZ 85016  
28 Attorneys for Beardsley Water Company

